

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE MINNESOTA BOARD OF NURSING

In the Matter of Carole J. Watkins,  
R.N., License No. 101670-5

FINDINGS OF FACT,  
CONCLUSIONS,  
AND RECOMMENDATION

This matter came on for prehearing before Administrative Law Judge Beverly Jones Heydinger at 1:30 p.m. on April 21, 2000, at the offices of the Board of Nursing, 2829 University Avenue S.E., Suite 500, Minneapolis, Minnesota.

Louis Hoffman, Assistant Attorney General, 445 Minnesota St., Suite 1400, St. Paul, MN 55101-2131, appeared by telephone for the Board. Carole J. Watkins ("Watkins") did not appear in person or by counsel. The record closed on the date of the prehearing.

This report is a recommendation, not a final decision. The Minnesota Board of Nursing will make the final decision after a review of the record and may adopt, reject or modify these Findings of Fact, Conclusions, and Recommendation. Under Minn. Stat. § 14.61 (1998), the Board shall not make a final decision until this Report has been made available to the parties for at least ten days. The parties may file exceptions to this Report and the Board must consider the exceptions in making a final decision. Parties should contact the Board at the address above to learn the procedure for filing exceptions or presenting argument.

STATEMENT OF ISSUE

1. While employed as a registered nurse, did Watkins perform her nursing duties with reasonable skill and safety?
2. Did Watkins' conduct justify taking disciplinary action against her?

Based upon all of the proceedings herein, the Administrative Law Judge makes the following:

FINDINGS OF FACT

1. On March 13, 2000, the Notice of and Order for Prehearing Conference and Hearing in this matter was served upon Watkins by first class mail at her last known address, 4609 Harriet Ave., Minneapolis, MN 55409, and c/o Dane F. Watkins, 1509 Oak Ave., Apt. 2S, Evanston, IL 60204. It notified her of a prehearing conference scheduled for April 21, 2000. Neither copy was returned as undelivered.

2. The Notice of and Order for Prehearing Conference and Hearing, informed Watkins that if she failed to appear at the prehearing the allegations against her, set

forth in the Notice of and Order for Prehearing Conference and Hearing, could be taken as true, and a default order could be issued. She was informed that such an order could result in disciplinary action, including loss of license. She was also informed that if disciplinary action is taken, she could be required to pay all costs of the proceedings and a civil penalty not exceeding \$10,000 for each separate violation.

3. Watkins failed to appear at the prehearing conference on April 21, 2000, and no one appeared on her behalf.

4. Because Watkins failed to appear, she is in default.

5. Pursuant to Minn. Rules part 1400.6000, the allegations contained in the Notice of and Order for Prehearing Conference and Hearing are taken as true and incorporated into these Findings of Fact.

Based upon the foregoing Findings of Fact, the Administrative Law Judge makes the following:

#### CONCLUSIONS

1. The Board of Nursing and the Administrative Law Judge have jurisdiction in this matter pursuant to Minn. Stat. §§ 14.50, 148.261 and 214.10 (1998).

2. The Board has given proper notice of the hearing in this matter and has fulfilled all relevant substantive and procedural requirements of law and rule.

3. The facts set out in the Notice of and Order for Prehearing Conference and Hearing constitute violations of Minn. Stat. § 148.261, subd. 1(5) (Supp. 1999).

Based upon the foregoing Conclusions, the Administrative Law Judge makes the following:

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#### RECOMMENDATION

IT IS HEREBY RECOMMENDED: that the Board take disciplinary action against Carole J. Watkins, R.N.

Dated this 28th day of April, 2000.

S/Beverly Jones Heydinger

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BEVERLY JONES HEYDINGER

Administrative Law Judge

Reported: Default

NOTICE

Pursuant to Minn. Stat. § 14.62, subd. 1 (1998), the Board is required to serve its final decision upon each party and the Administrative Law Judge by first class mail.

MEMORANDUM

Carole Watkins did not appear at the hearing to refute the allegations against her. The facts alleged by the Board are taken as true. Absent any evidence to the contrary, the facts reasonably support the conclusion that Watkins did not perform her nursing duties with reasonable skill and safety, and thus violated Minn. Stat. §148.261, subd. 1(5) (Supp. 1999).

BJH